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Attorney for Defendant
WILLIAM MONTE DAVIS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, } CR-11-0337-MMC
Plaintiff, } STIPULATION AND [PROPOSED]
v. } ORDER CONTINUING HEARING
WILLIAM MONTE DAVIS, }
Defendant. }

STIPULATION

Counsel for Defendant WILLIAM MONTE DAVIS, George C. Boisseau, is presently unavailable to consult with the defendant because defense counsel is engaged in a jury trial in the Sonoma County Superior Court. Accordingly, Defendant WILLIAM MONTE DAVIS and the government, through undersigned counsel, stipulate that there is good cause to continue the hearing presently scheduled for status/setting from February 15, 2012 at 2:30 p.m. to February 29, 2012 at 2:30 p.m., before the Honorable Maxine M. Chesney.

The parties further stipulate and request that the period from February 15, 2012 up to and including February 29, 2012 be excluded under the Speedy Trial Act pursuant to 18 U.S.C.

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§§3161(h)(7)(A) and 3161(h)(7)(B)(iv) in order to assure defendant continuity of counsel and effective preparation of counsel.

IT IS SO STIPULATED.

Dated: February 13, 2012

GEORGE C. BOISSEAU
Attorney for Defendant William Monte Davis

Dated: February 13, 2012

/s/
CHINHAYI COLEMAN CADET
Assistant United States Attorney

ORDER

1. GOOD CAUSE APPEARING, it is hereby ordered that the hearing scheduled for status/setting be continued from February 15, 2012 at 2:30 p.m. until February 29, 2012 at 2:15 ~~2:30~~ p.m., before the Hon. Maxine M. Chesney.

2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from February 15, 2012 up to and including February 29, 2012 for continuity of counsel and effective preparation of counsel for Defendant William Monte Davis. Failure to grant the requested continuance would unreasonably deny the defendant continuity of counsel, and would deny defense counsel the time necessary for effective preparation, taking into account the exercise of due diligence.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from February 15, 2012 up to and including February 29, 2012 outweigh the best interest of the public and Defendant William Monte Davis a speedy trial. 19 U.S.C. § 3161(h)(7)(A).

4. Accordingly, the Court orders that the period from February 15, 2012 up to and including February 29, 2012 be excluded from the Speedy Trial Act calculations as to Defendant William Monte Davis under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

Dated: Feb. 14, 2012

Maxine M. Chesney
HON. MAXINE M. CHESNEY
United States District Judge